I. AMENDMENTS

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method for selecting a therapy comprising administration of 5-Fluorouracil and oxaliplatin to treat a human metastatic colorectal cancer patient, the method comprising screening a nucleic acid sequence at codon 118 of the ERCC1 gene isolated from a cell or tissue sample isolated from said patient for the genotype at codon 118 of the ERCC1 gene, wherein the therapy is selected for the patient based on the presence of the genotype (C/C) or the ~~patient~~ therapy is not selected for the ~~therapy~~ patient based on the presence of the genotype (C/T) or (T/T) at codon 118.

Claims 2. to 3. (Canceled)

4. (Previously Presented) The method of claim 1, wherein the therapy further comprises radiation therapy.

Claims 5. to 6. (Canceled)

7. (Withdrawn) A method for reducing chemically induced neurotoxicity associated with cancer chemotherapy in a patient comprising administering to said subject an effective amount of a COX-2 inhibitor to a patient in need thereof.

8. (Withdrawn) The method of claim 7, wherein the chemotherapy comprises administration of oxaliplatin.

9. (Withdrawn) The method of claim 7, wherein the chemotherapy comprises administration of 5-FU.

10. (Withdrawn) A method for determining if a human patient is more likely to experience tumor recurrence after surgical removal of said tumor, comprising determining the expression level of a gene selected from the group consisting of TS, DPD, ERCC1 and VEGF, in a cell or sample isolated from normal tissue adjacent to said tumor and correlating said expression level with normal levels, wherein overexpression of said gene is predictive to identify patients at risk for tumor recurrence.

11. (Withdrawn) The method of claim 11, wherein the tumor is associated with rectal cancer.

Claims 12. to 18. (Canceled)

19. (Currently Amended) A method for determining whether a human metastatic colorectal cancer is likely to experience longer survival following treatment with a therapy comprising the administration of 5-Fluorouracil and oxaliplatin, comprising screening a nucleic acid sequence at codon 118 of the ERCC1 gene in a cell or tissue sample isolated from said patient, and wherein the presence of the genotype (C/C) at codon 118 of the ERCC1 gene determines that said patient is likely to experience longer survival following treatment with said therapy as compared to patients receiving the therapy not having the genotype (C/C) of the ERCC1 gene.

Claims 20. to 22. (Canceled)

23. (Previously Presented) The method of claim 19, wherein the therapy further comprises radiation therapy.

24. (Currently Amended) A method for determining whether a human metastatic colorectal cancer patient is likely to experience shorter survival following treatment with a therapy comprising the administration of 5-Fluorouracil and oxaliplatin, comprising screening a nucleic acid sequence at codon 118 of the ERCC1 gene isolated from a cell or tissue sample isolated from said patient for a nucleic acid

sequence present at codon 118 of the ERCC1 gene, wherein the presence of the genotype (C/T) or (T/T) at codon 118 of the ERCC1 gene determines that said patient is likely to experience shorter survival following treatment with said therapy as compared to patients receiving the therapy not having the genotype (C/T) or (T/T) ~~genotype~~.

Claims 25. to 27. (Canceled)

28. (Previously Presented) The method of claim 24, wherein the therapy further comprises radiation therapy.

29. (Currently Amended) A method for treating a human metastatic colorectal cancer patient selected for therapy based on the presence of a genotype (C/C) at codon 118 of the ERCC1 gene, comprising administering an effective amount of a therapy comprising 5-Fluorouracil and oxaliplatin to a the patient, wherein the patient was identified by a method comprising screening a sample isolated from the patient for the genotype at codon 118 of the ERCC1 gene ~~selected for said therapy based on screening and the possession of the genotype (C/C) at codon 118 of the ERCC1 gene in a nucleic acid sample in a cell or tissue sample isolated from said patient~~, thereby treating the patient.

30. (Previously Presented) The method of claim 29, wherein the therapy further comprises radiation therapy.

Claims 31. to 33. (Canceled)

34. (Previously Presented) The method of claim 1, wherein the method comprises screening a nucleic acid sequence at codon 118 of the ERCC1 gene in a cell or tissue sample isolated from said patient, wherein the therapy is selected for the patient based on the presence of the genotype (C/C) at codon 118 of the ERCC1 gene in the sample.

35. (Previously Presented) The method of claim 1, wherein the method comprises screening a nucleic acid sequence at codon 118 of the ERCC1 gene in a cell or tissue sample isolated from said patient, wherein the therapy is not selected for the patient based on the presence of the genotype (C/T) or (T/T) at codon 118 of the ERCC1 gene in the sample.

36. (Currently Amended) The method of any one of claims 1, 19, 24, 29, 34 or 35, wherein the sample is selected from the group consisting of ~~tumor tissue, normal tissue adjacent to the tumor, a peripheral blood lymphocyte~~ bodily fluid, blood, a dry sample, hair, skin, a fixed sample, a frozen sample, a biopsy and a resection ~~and any combinations thereof~~.

37. (Previously Presented) The method of any one of claims 1, 19, 24, 29, 34 or 35, wherein the nucleic acid is screened by at least one method of the group: polymerase chain reaction analysis (PCR), sequencing analysis, restriction enzyme analysis, mismatch cleavage analysis, single strand conformation polymorphism analysis, denaturing gradient gel electrophoresis, selective oligonucleotide hybridization, selective PCR amplification, selective primer extension, oligonucleotide ligation assay, exonuclease-resistant nucleotide analysis, Genetic Bite Analysis or primer-guided nucleotide incorporation analysis.